

P L A N N I N G C O M M I S S I O N

ACTION MINUTES

TUESDAY, SEPTEMBER 4, 2001

Chair Parsons called the meeting to order at 7:05 p.m. at the Twin Pines Senior and Community Center.

ROLL CALL:

Present, Commissioners: Mathewson, Wiecha, Gibson, Petersen

Absent: Parsons, Torre (Commissioner Torre arrived at 7:10 p.m.)

Present, Staff: Principal Planner de Melo, Associate Planner Ouse, Deputy City Attorney Zafferano, Recording Secretary Flores, Temporary Recording Secretary Szabo,

AGENDA STUDY SESSION: None

AGENDA AMENDMENTS: None

COMMUNITY FORUM (Public Comments): None

CONSENT CALENDAR:

Minutes for 5-1-01

Minutes for 3-20-01

Minutes for 3-7-01

Minutes for 2-20-01

MOTION: By Commissioner Wiecha, seconded by Commissioner Gibson, to approve the consent calendar, as amended.

Ayes: Mathewson, Wiecha, Gibson, Petersen

Noes: None

Absent: Parsons, Torre

Motion passed 4/0/2

Commissioner Torre arrived at 7:10 p.m.

STUDY SESSION

Conceptual review of proposed roadway improvements and single-family residence – Marburger Avenue: (APN 043-202-020)

Principal Planner (PP) de Melo gave an overview of the intent of the applicant, Colette Sylver, noting that the purpose of the discussion is to review the concepts of the proposal and hear comments from the Commission prior to submittal of any formal applications. Responding to questions from the Commission, PP

de Melo clarified that the applicant has two parcels that she would like to dedicate to the San Juan Hills Trust, the approved Marburger Avenue right-of-way would be the responsibility of the City to maintain, and all environmental, roadway, improvement plans and zoning ordinance issues, as well as potential impact on the San Juan Hills Area Plan, would be evaluated once a formal application is submitted.

Colette Sylver, resident of 2937 San Juan Boulevard and owner of the subject property, addressed the Commission, noting that she does not own the property where the geologic hazard referred to in the W. J. Cotton maps exists, she intends to keep Marburger Avenue as a gated road, it already has water, gas, sewer, BFI, mail and Fire Department services, and all it lacks at this point is proper paving. She added that her proposal would improve the section of the roadway that impacts San Juan Boulevard during storms. She stated that she had elected to terminate the road at the first point where the geological hazard exists; i.e., that the San Juan Hills Plan states that the W. J. Cotton map sets the standard for where the geological hazards exist and the burden is not on her to prove that that is not the case.

Commissioner Torre raised the question of whether a donation to a third party is an allowable option of the San Juan Hills Plan. PP de Melo responded that Section 4.7.1 of the City's Zoning Ordinance speaks to providing an addition to the hillside roadway improvement plan and the floor area transfer. He feels that the City would probably prefer to have the property stay with private ownership or have it donated to a third party, such as the San Juan Hills Preservation Trust. Commissioner Torre encouraged the applicant to explore this question with the Trust and staff before coming back with a more developed plan.

Responding to Commissioner Gibson, Ms. Sylver stated that three of the four homeowners who use the roadway are in favor of her proposal and that she had not been able to contact the fourth owner.

Vice Chair Mathewson mentioned that it appears that the roadway under discussion is in a PDF zone, and that the Commission needs to adhere to the San Juan Hills Plan. PP de Melo referred the Commission to pages 50-52 of the San Juan Hills Plan that speak to specific encouragement of construction or extension of roadways in areas that are PDF or MD zones, and felt that creating a cul de sac may not be a viable option.

Coralin Feierbach, Belmont Resident and former member of the Planning Commission when the San Juan Hills Plan was written, raised the questions of how many more houses can be built if this improved road is built, what kind of development would be encouraged, and how many lots can be merged.

Commissioner Torre summarized her comments by stating that a complete analysis from staff is required before she can offer an opinion on whether the ending points of the roadway are appropriate, and that if the applicant is contemplating donating property to the San Juan Hills Preservation Trust, she should have discussions with them and provide that information in any future applications.

Commissioner Gibson felt that putting Marburger Avenue through would violate the spirit of the San Juan Hills Plan and would be a disaster from geological and environmental points of view. He referred to page 26 of the San Juan Hills Plan, where incremental road development is discouraged, specifically referring to Marburger Avenue. He added that it would be great if this was the end of the development on Marburger, and having the lots transferred would be great because it would take away some voting rights and mean that the lots could never be developed. He felt that no decisions could be made without looking at what would become of Marburger Avenue, and storm drainage issues would have to be dealt with.

Commissioner Petersen stated that she is concerned that there are implications in the San Juan Hills Plan that would make her not feel positively disposed, but she would need more information.

Commissioner Wiecha concurred with Commissioners Gibson and Torre.

Commissioner Mathewson concurred with Commission Gibson and would need to ascertain what the San Juan Hills Plan allows, the geologic hazard if the roadway were to be developed, and is concerned with sewage and fire access. PP de Melo added that a cul de sac would cut off an access road and create difficulty for other properties.

PUBLIC HEARINGS:

Public Hearing – 1 Phyllis Court: To consider a Single-Family Design Review application to remodel the existing 2,335 square foot single-family residence. The proposed remodel will reconfigure the existing interior space and add a new 1,160 square foot second-story addition for a total of 3,495 square feet in a zoning district that permits 3,500 square feet. (Appl. No.01-0077); APN: 044-372-200: Zoned: R1-B; CEQA Status: Exempt; Linda and Jim Woods – Applicant/Owner(s)

PP de Melo summarized the staff report, recommending approval, and passed around a model of the project. Responding to questions from the Commission, PP de Melo stated that the study area is counted as a fourth bedroom since it has a closet, and that the playhouse and hot-tub areas are exempt from setback requirements since they are less than 120 square feet.

Regarding window placement, James Wood, applicant, stated that he has infinite confidence in his architect's design concepts. He added that he had spoken to all of the neighbors in the cul de sac but one, and they all seemed enthusiastic about the project.

Vice Chair Mathewson opened the public hearing. No one came forward to speak.

MOTION: By Commissioner Wiecha, seconded by Commissioner Gibson, to close the public hearing. Motion passed.

MOTION: By Commissioner Wiecha, seconded by Commissioner Torre, to adopt Resolution approving a Single-Family Design Review at 1 Phyllis Court, with conditions as attached to the Resolution.

Ayes: Wiecha, Torre, Gibson, Petersen, Mathewson

Noes: None

Absent: Parsons

Motion passed 5/0/1

Vice Chair Mathewson stated that the item may be appealed to the City Council within ten days,

Public Hearing – 1711 Notre Dame Avenue: To consider a Single-Family Design Review to expand an existing single-family residence to include a new top-story and expansion to the rear of the residence. The remodel will add 1,174 square feet to an existing 2,148 square foot residence for a total of 3,322 square feet on a property where the maximum allowable floor area is 3,337 square feet. (Appl. No. 01-0074); APN: 044-071-200: Zoned: R1-B; CEQA Status: Exempt; Ray Viotti, Applicant; Kambiz and Monique Komeyli, Owners

Associate Planner (AP) Ouse summarized the staff report, recommending approval, subject to the conditions in the staff report. Under Background on Page 2 of the Staff Report, the size of the existing dwelling was corrected to state 2,148 square feet rather than 2,711 square feet.

Discussion ensued regarding the parking requirements with relation to the previous code and the current code. PP de Melo summarized it by stating that neither code requires the applicant to upgrade the available parking, but they are doing it anyway. The concrete slabs next to the sidewalk and height of crawl spaces were also discussed.

Ray Viotti, applicant, answered questions from the Commission, and owner Monique Komeyli stated that the adjacent neighbors support the project. She added that they plan to replace the tree to be removed with some attractive landscaping.

Vice Chair Mathewson opened the public hearing. No one came forward to speak.

MOTION: By Commissioner Wiecha, seconded by Commissioner Petersen, to close the public hearing. Motion passed.

Commenting on this application and the previous one, Commission Gibson noted that they are both right up against the square foot limit and feels that they are as big as they should be for the lots, and he plans to keep these two in mind with relation to future projects.

MOTION: By Commissioner Torre, seconded by Commissioner Gibson, to adopt Resolution approving a Single-Family Design Review at 1711 Notre Dame Avenue with the condition regarding landscaping as proposed by staff.

Ayes: Torre, Gibson, Wiecha, Petersen, Mathewson

Noes: None

Absent: Parsons

Motion passed 5/0/1

Vice Chair Mathewson announced that this item may be appealed to the City Council within ten days.

Public Hearing - 1801 Alden Street: To consider a Single-Family Design Review application to remodel the existing 1,416 square foot single-story residence. The proposed remodel will reconfigure the existing interior space and add a new 1,336 square foot second story for a total square footage of 2,752 square feet in a zoning district that permits 2,798 square feet. (Appl. No. 01-0104) APN: 044-311-090: Zoned: R1-C; CEQA Status: Exempt; Mary Dunlap, Applicant; Gary and Melissa Fitzpatrick, Owners

PP de Melo summarized the staff report, recommending approval, and answered questions from the Commission regarding numbers of bedrooms and compliance with the previous and current parking ordinance. Deputy City Attorney Zafferano stated that this is not an area of the law that is entirely clear but that in general, from what he hears staff saying, he believes staff has a policy that says that when they deem an application complete that is the date on which they determine which laws apply. As long as they do that consistently, there is no problem.

Gary Fitzpatrick, applicant, was available to answer questions, and stated that a letter was signed by six neighbors in support of the project.

Vice Chair Mathewson opened the public hearing. No one came forward to speak.

MOTION By Commissioner Gibson, seconded by Commissioner Wiecha, to close the public hearing. Motion passed.

Commissioners Gibson, Peterson and Vice Chair Mathewson stated that they thoroughly approved of the project. Responding to Vice Chair Mathewson's question regarding the brightness of the proposed color for the house, Mr. Fitzpatrick stated that there is a house on the corner of Ralston and Avon is painted a similar color, except that the green trim will be a lighter shade.

MOTION: By Commissioner Wiecha, seconded by Commissioner Torre, to adopt Resolution approving a Single-Family Design Review at 1801 Alden Street

Ayes: Wiecha, Torre, Gibson, Petersen, Mathewson

Noes: None

Absent: Parsons

Motion passed 5/0/1

Vice Chair Mathewson announced that this item may be appealed to the City Council within ten days.

REPORTS, STUDIES, UPDATES, AND COMMENTS

Discussion was held regarding the possibility of the lack of a quorum for the meeting of September 18th, knowing that Chair Parsons will be out of town and Commissioners Wiecha and Petersen would be on vacation. Staff agreed that they will inform the applicants that the meeting scheduled for the 18th may have to be cancelled due to quorum issues.

Commissioner Gibson agreed to be the liaison to the City Council meeting of September 11th.

ADJOURNMENT:

The meeting adjourned at 8:40 p.m. to a regular meeting on September 18, 2001 at 7:00 p.m. at Twin Pines Senior and Community Center.

Craig A. Ewing, AICP

Planning Commission Secretary

Audiotapes of Planning Commission Meetings are available for review

in the Community Development Department.

Please call (650) 595-7416 to schedule an appointment